

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 8337 of 1998

Between:

S. Ammaiah Choudary S/o Sambaiah
R/o Guntur Guntur Dist.

..... PETITIONER

AND

- 1 The Transport Commissioner
BRKR Complex, Tank Bund,
Hyderabad
- 2 The Secretary, Ragional Transport Authority,
Guntur, Guntur Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus, or any other appropriate Writ, Order or Direction, declaring the orders of the respondents in Memo No.4606/D1/96 dt: 25-5-1996 as illegal, void and violative of Article 14 and 19 (1) (g) of the Constitution of India and consequently direct the 2nd respondent herein to permit the petitioner's vehicle bearing No.AP-7-T-5009 to carry a GVN as 16,200 Kgs and to pass

Counsel for the Petitioner:MR.BADRI.VENKATA REDDY

Counsel for the Respondent No.: GP FOR TRANSPORT

The Court made the following :

ORDER:

This writ petition is filed questioning the Memo No. 4606/D1/96 dated 25-5-1996 and for a consequential direction to second respondent to permit the petitioner's vehicle bearing No.AP.7-T-5009 to carry a GVW as 16,200 Kgs.

When the matter is taken up for hearing, it is submitted by the learned counsel for the petitioner and conceded by the learned Government Pleader for Transport that the subject matter of this writ petition is squarely covered by the judgment of the Apex Court in

N. Venkateswara Rao vs. S.T.A.¹, wherein the Apex Court elaborately considered the matter and dismissed the appeals and the W.P.No.6211 of 1990 and batch, orders in which were challenged therein.

In the circumstances, following the above judgment, this Writ Petition is also dismissed for the same and similar reasons. No costs.

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N.V. RAMANA, J.

08-04-2005

tvk

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

- 1 The Transport Commissioner
BRKR Complex, Tank Bund,
Hyderabad
- 2 The Secretary, Ragional Transport Authority,
Guntur, Guntur Dist.
- 3.** 2 CCs to Government Pleader for Transport, High Court of A.P. Buildings,
Hyderabad (OUT)
- 4) 2 CD copies

*Form-NIC-OGS/WP{**TML**}*